

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re	: Chapter 7
	:
SYMBIONT.IO, LLC,	: Case No. 22-11620 (PB)
	:
Debtor.	: Hon. Philip Bentley
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**ORDER DESIGNATING MARK SMITH AS THE PERSON RESPONSIBLE  
TO PERFORM THE DEBTOR’S DUTIES UNDER THE BANKRUPTCY CODE**

Upon the application (the “Application”) of Yann Geron (the “Trustee”), as chapter 7 trustee of the estate of Symbiont.io, LLC (the “Debtor”) for an order pursuant to Rule 9001(5) of the F. R. Bankr. P., (the “Bankruptcy Rules”), designating Mark Smith (“Mr. Smith”) as the person responsible to perform the Debtor’s duties enumerated in 11 U.S.C. § 521; and it appearing that good and sufficient notice of the Application has been given; and no objections to the Application having been filed; and after due deliberation, and for good and sufficient cause, it is hereby

**ORDERED** that the Application is granted as provided herein; and it is further

**ORDERED**, that pursuant to Bankruptcy Rule 9001(5), Mr. Smith is directed to perform on behalf of the Debtor actions required of the Debtor by Title 11 of the United States Code (the “Bankruptcy Code”) and the Bankruptcy Rules, including the Debtor’s duties enumerated in Section 521 of the Bankruptcy Code; and it is further

**ORDERED**, that, pursuant to the terms of the conversion order, Mr. Smith is directed to file, within one week of this order, a (i) a schedule of unpaid debts incurred after the commencement of the chapter 11 case, including the name and address of each holder of a claim, and (ii) final report and account; and it is further

**ORDERED**, that Mr. Smith is directed to cooperate with the Trustee and his professionals as necessary to enable the Trustee to perform his duties under the Bankruptcy Code; and it is further

**ORDERED**, that Mr. Smith is directed to surrender to the Trustee or Trustee's accountants, within one week of this order, all property of the Debtor's estate and any recorded information relating to property of the Debtor's estate, including corporate tax returns, QuickBooks electronic accounting files, financial account statements, cancelled checks, payroll records, leases, and accountings; and it is further

**ORDERED**, that Mr. Smith is directed to appear on behalf of the Debtor at any adjournments of the adjourned meeting of creditors originally scheduled for September 15, 2023, at 11:30 a.m. (the "341 Meeting"), pursuant to Section 341 of the Bankruptcy Code, until such meeting is closed; and it is further

**ORDERED**, that service of a conformed copy of this Order on the date of its entry by first class mail upon: (i) Mr. Smith, 750 71<sup>st</sup> Terrace St., Saint Petersburg, FL 33705, (ii) the Debtor's counsel, Lawrence F Morrison, Esq. of Morrison Tenenbaum PLLC, 87 Walker Street, Floor 2, New York, NY 10013, and (iii) Office of the United States Trustee, Attn: Annie Wells, Esq., U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, New York 10014, shall be deemed good and sufficient service for enforcing this Order.

Dated: New York, New York  
October 10, 2023

/s/ Philip Bentley

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**Hon. Philip Bentley**  
**United States Bankruptcy Judge**